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[Additional Counsel Listed Below]

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MICHAEL RUTH, and OTILDA
LAMONT, Derivatively on Behalf of
CANNAVEST CORP.,

Plaintiffs,

v.

MICHAEL MONA, JR., BART P.
MACKAY, and LARRY RASKIN,

Defendants,

and

CANNAVEST CORP.,

Nominal Defendant.

Case No.: 2:15-cv-00481-RFB-VCF

**FURTHER JOINT STATUS
REPORT TO MAGISTRATE
JUDGE CAM FERENBACH**

WHEREAS, by Order dated January 11, 2016, (D.E. 34), Judge Boulware ordered that the current action shall continue to be stayed pending a resolution of the motion to dismiss in the related action styled as *In re: CannaVest Corp., Securities Litigation*” under case no. 14-cv-2900 (hereafter, the “New York Federal Securities Action”);

WHEREAS, Judge Boulware, also on January 11, 2016, ordered the parties to submit a written Status Report to Magistrate Cam Ferenbach as to the status of the

1 motion to dismiss in the New York Federal Securities Action on or before March 31,
2 2016;

3 **WHEREAS**, in the New York Federal Securities Action the lead plaintiff filed a
4 consolidated complaint on September 14, 2015, and Defendants responded with a
5 motion to dismiss on December 11, 2015;

6 **WHEREAS**, the lead plaintiff in the New York Federal Securities Action served
7 its Opposition to Defendants' Motion to Dismiss on March 21, 2016;

8 **WHEREAS**, the Defendants' motion to dismiss the New York Federal Securities
9 Action was fully briefed, with all papers having been docketed on September 30, 2016;

10 **WHEREAS**, on March 31, 2018, the Court in the Southern District of New York
11 issued its written opinion denying in part and granting in part the motion to dismiss;

12 **WHEREAS**, the answer of the remaining defendants in the New York Federal
13 Securities Action is due on April 30, 2018;

14 **WHEREAS**, an action was filed by the Securities and Exchange Commission
15 ("SEC") on June 15, 2017 against CannaVest Corp. and Michael J. Mona, Jr., two
16 defendants in the instant action, in the United States District Court of Nevada, Civil
17 Action No. 2-17-cv-01681 ("SEC Action");

18 **WHEREAS**, the SEC Action has been settled in principal, pending the approval
19 of the proposed settlement terms by senior SEC officials;

20 **WHEREAS**, there are no motions presently pending before this Court; and

21 **WHEREAS**, the parties have met and conferred, and Plaintiff desires to further
22 amend her complaint to take cognizance of recent developments in the New York
23 Federal Securities Action and in the SEC Action:

24 **ACCORDINGLY**, the parties respectfully submit:

- 25 1. That Plaintiff's Second Amended Complaint should be filed on or before thirty
26 (30) days from the date this Stipulation is so ordered by the Court; and

27 ///

2. That the Defendants thereafter shall have thirty (30) days to respond to Plaintiff's Second Amended Complaint.

Dated: April 30, 2018

Dated: April 30, 2018

MATTHEW L. SHARP, LTD.

**PROCOPIO, CORY,
HARGREAVES & SAVITCH, LLP**

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Counsel for Plaintiffs

*Counsel for Defendants
Michael Mona, Jr., Bart P. Mackay,
Larry Raskin, and
CannaVEST Corp.*

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

DATED: 4-30-2018

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/s/ Cristin B. Sharp
An employee of Matthew L. Sharp, Ltd.